

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

Plaintiff,

-against-

HAFIZ NASEEM,

Defendant,
-----X

NOTICE OF MOTION
Indictment # 07 Cr. 610 (RMB)

PLEASE TAKE NOTICE that, upon the annexed affidavit of Michael F. Bachner, Esq., duly sworn to the 20th day of December 2007, the Indictment, exhibits, and upon all proceedings heretofore had herein, the undersigned, on behalf of the defendant, HAFIZ NASEEM, will move this court, before the Honorable Richard M. Berman, United States District Court Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, on an adjourn date to be set by the Court, for an Order dismissing the Indictment on the grounds that the retrial of the defendant would violate the Double Jeopardy Clause of the United Constitution.

Dated: December 20, 2007
New York, New York

Respectfully submitted,

BACHNER & ASSOCIATES, P.C.

Attorney for the Defendant

HAFIZ NASEEM

26 Broadway, Suite 2310

New York, NY 10004

(212) 344-7778

Government to respond by
1-7-08.

To: Hon. Richard M. Berman
AUSA Joshua Klein, Esq.
AUSA Reed Brodsky, Esq.

SO ORDERED:

Date: 12-27-07

Richard M. Berman
Richard M. Berman, U.S.D.J.

U.S.D.C. SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12-27-07